

Panaji, 17th November, 1983 (Kartika 26, 1905)

SERIES II No. 33

OFFICIAL GAZETTE



GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms

Order

No. 3/6/83-PER

Read: Government of India Ministry of Irrigation letter No. 5/20/83-Estt-I dated 27-9-1983.

On deputation from the Government of India, Ministry of Irrigation, New Delhi, Shri A. R. S. Murthy, who was working as Deputy Secretary (Project), is appointed as Chief Engineer (Irrigation) Government of Goa, Daman and Diu w.e.f. 7-11-83 (B.N.) in the pay scale of Rs. 2250-2500 for a period upto 31st August, 1985 i.e. the date of his superannuation.

2. During the period of his deputation Shri Murthy will have the option to get his pay fixed in the deputation post or to draw pay of the post held by him in his parent Department plus a deputation allowance in accordance with and subject to the conditions contained in the Ministry of Finance O.M. No. F. 10(24)-E-II/60 dated 4-5-1961 as amended from time to time.

3. Shri B. V. Khanolkar, Superintending Engineer (Irrigation Department) stands relieved of the additional charge of the post of Chief Engineer (Irrigation) w.e.f. 7-11-1983 (B. N.).

By order and in the name of the Administrator of Goa, Daman and Diu.

N. P. Gaunekar, Under Secretary (Personnel).

Panaji, 9th November, 1983.

Order

No. 3/17/74-PER(Vol. III)

Read: i) Order No. 3-17-74-Div. I dated 28-2-1978 and Corrigendum No. 3-17-74-Div. I dated 20-3-1978.

ii) Order No. 3-17-74-PER(Vol. I) dated 12-2-1981.

The Administrator of Goa, Daman and Diu is pleased to appoint the following members of the Goa, Daman and Diu Civil Service, presently holding the Grade I (Selection Grade) posts of the Service on regular basis in terms of orders cited above, in the substantive capacity to the same Grade I (Selection Grade) of the Service w.e.f. 22-10-1983, as concurred by the Union Public Service Commission, New Delhi vide their letter No. F.5/4(2)/82-AIS dated 22-10-1983:—

1. Shri R. I. Jai Prakash.
2. Shri Jose Philip.
3. Shri E. N. Rodrigues.
4. Shri S. K. Jain.

By order and in the name of the Administrator of Goa, Daman and Diu.

N. P. Gaunekar, Under Secretary (Personnel).

Panaji, 9th November, 1983.

Order

No. 6/1/81-PER (Vol. II)

The Administrator of Goa, Daman and Diu is pleased to place the services of Shri A. S. Ingle, Grade II Officer of the Goa, Daman and Diu Civil Service, presently functioning as Under Secretary (Revenue) at the disposal of the Home Department (General), Secretariat, with immediate effect, for his appointment as Dy. General Manager (Traffic) in the Kadamba Transport Corporation Ltd., on deputation basis for a period of one year in the first instance w.e.f. the date he takes over the new assignment.

2. The terms of deputation of Shri A. S. Ingle shall be regulated as per the standard terms of deputation.

3. Shri A. S. Ingle, shall hand over the charge of the post of Under Secretary (Revenue) to Shri A. V. Pimenta, Under Secretary (Local Administration & Welfare Department), Secretariat, who shall officiate as Under Secretary (Revenue) in addition to his own duties until further orders.

By order and in the name of the Administrator of Goa, Daman and Diu.

N. P. Gaunekar, Under Secretary (Personnel).

Panaji, 15th November, 1983.

Planning Department

Order

No. 4-19-75-PLG. Vol. II

On recommendations of the Departmental Promotion Committee of Group 'B' Gazetted posts the following official from the Common Statistical Cadre is promoted on purely ad-hoc basis with immediate effect for a period of one year or till the post is filled in on regular basis whichever is earlier.

| Sr. No. | Name of the official, present designation and posting | Post to which promoted | Pay scale | Place of posting |
|---------|--|------------------------|----------------|--|
| 1 | 2 | 3 | 4 | 5 |
| 1. | Shri A. M. Shaikh, Research Assistant in the Directorate of Social Welfare | Statistical Officer | Rs. 650-1200/- | Collectorate of Daman against the vacant post. |

The above promotion will not bestow on the Officer any claim for regular appointment and the services rendered in such capacity in the grade will not count for the purpose of seniority in that grade and for eligibility for promotion to next higher grade.

By order and in the name of the Administrator of Goa, Daman and Diu.

P. W. Rane Sardesai, Planning Officer.

Panaji, 14th November, 1983.

Works, Education and Tourism Department

Corrigendum

No. DT/PL-TDC/666/77/Part I.

Read: Government Order of even number dated 24th September, 1983.

In the Government Order quoted above in the fifth line for the words as Joint Director the words "as Joint Managing Director" shall be substituted.

By order and in the name of the Administrator of Goa, Daman and Diu.

T. S. Khandeparkar, Under Secretary to the Government of Goa, Daman and Diu.

Panaji, 11th November, 1983.

Forest and Agriculture Department

Order

No. 4/9/79-AGR

Read: Government Order No. 4/9/79-AGR dated 10-11-82.

Sanction is hereby accorded to the continuation of deputation of Dr. H. Y. Karapurkar, Director of Agriculture as

Project Director, Rural Development Agency, Goa for a further period of one year with effect from 30-10-1983 to 29-10-1984 on the same terms and conditions as mentioned in the Government Order cited above.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. M. Naik, Under Secretary to the Government of Goa, Daman and Diu.

Panaji, 8th November, 1983.

Order

No. 2-12-80-FD/11

In exercise of the powers conferred by Section 6 of the Goa, Daman and Diu Preservation of Trees Ordinance, 1983, (Ordinance 2 of 1983), the Conservator of Forests, Union Territory of Goa, Daman and Diu hereby appoints all Assistant Conservator of Forests, Range Forest Officers, Deputy Range Forest Officers, Round Foresters and Forest Guards as Officers and servants for the purpose of the said Ordinance.

S. K. Sharma, Conservator of Forests, Ex. Officio Addl. Secy.

Panaji, 10th November, 1983.

Revenue Department

Notification

No. 22/22/82-RD

Whereas by Government Notification No. 22/22/82-RD dated 13-4-82 published on page 41 & 42 of Series II, No. 4 of the Official Gazette, dated 22-4-82 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the said Act") that the land, specified in the schedule appended to the said Notification (hereinafter referred to as the "said land") was likely to be needed for the public purpose viz. For construction of Police Out Post Complex at St. Cruz.

And Whereas the appropriate Government (hereinafter referred to as "the Government") is satisfied after considering

the report made under sub-section (2) of Section 5A of the said Act, that the said land specified in the schedule hereto is needed to be acquired for the public purpose specified above.

Now, Therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Dy. Collector, Goa North Division, Panaji, to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said Dy. Collector, Goa North Div. Panaji till the award is made under Section 11.

SCHEDULE

(Description of the said land)

| Sr. No. | Taluka | Village | Plot No. | Survey No. | Name of the person believed to be interested | Approximate area in sq. mts. |
|---|---------|----------|----------|---------------|--|------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | Tiswadi | St. Cruz | 1 | 3 (2 part) | Joao Manuel Dias. | 1383.00 |
| | | | 2 | 3 (3 part) | — do — | 170.00 |
| | | | 3 | 3 (4 part) | — do — | 320.00 |
| Boundaries: | | | | | | |
| North: Survey No. 3/1 & 601/1. | | | | | | |
| South: Road and Survey No. 3/5. | | | | | | |
| East: Survey No. 601/ and Survey No. 3/5. | | | | | | |
| West: Survey No. 3/1 and road. | | | | | | |
| Total | | | | | | 1873.00 |

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

A. S. Ingle, Under Secretary (Revenue).

Panaji, 6th November, 1983.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.
A. S. Ingle, Under Secretary (Revenue).
Panaji, 7th November, 1983.

Notification

No. 22/128/83-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Construction of I-L Minor, Ex-Devka Minor at village Dunetha for Damanganga Reservoir Project.

And Whereas in the opinion of the Government the provisions of sub-section (1) of Section 17 of the Land Acquisition Act, 1894 (hereinafter referred to as the said Act), are applicable.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the said Act) that the said land is likely to be needed for the purpose specified above.

The Government is pleased to direct under sub-section (4) of Section 17 of the said Act that the provisions of Section 5A of the said Act shall not apply in respect of the said land.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise

or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Collector of Daman, Daman, to perform the functions of a Collector under the said Act in respect of the said need.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Daman, Daman.

2. The Executive Engineer, Damanganga Canal Distributory Division No. 1 VAPI.

6. A rough plan of the said land is available for inspection in the office of the Collector of Daman, Daman from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

| Sr. No. | Taluka | Village | Survey No. | Names of the persons believed to be interested | Approximate area in sq. mts. |
|-------------|--------|---------|------------|--|------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 |
| | Daman | Dunetha | 64/2 | Jeevan Bechar. | 75.00 |
| | | | 64/3 | Bhagwan Naran. | 375.00 |
| | | | 64/1 | Babu Jagan. | 425.00 |
| | | | 60/1 | Fakir Karia. | 575.00 |
| | | | 65/3 | Nanaji Punamchand. | 825.00 |
| | | | 59/4 | Bhagwan Sukar. | 200.00 |
| | | | 59/5 | Govind Ravji. | 425.00 |
| | | | 59/6 | Mangal Lallu. | 300.00 |
| | | | 58/1 | Ganda Lallu. | 150.00 |
| | | | 70/1 | Babu Dalpat. | 300.00 |
| | | | 70/2 | Shankar Lallu. | 375.00 |
| | | | 71 | Bhana Radka. | 550.00 |
| | | | 72/1 | Ranchhod Chhibad. | 400.00 |
| | | | 72/2 | Narsinh Ravji. | 25.00 |
| | | | 72/3 | Vallabh Bhagwan. | 250.00 |
| | | | 75/1 | Bhula Chhiba. | 1275.00 |
| | | | 76/1 | Lalu Dhoda. | 175.00 |
| | | | 76/2 | Govind Vesta Kidia. | 150.00 |
| | | | 76/3 | Ranchhod Chhibad Patel. | 325.00 |
| | | | 77/1 | Bhikha Vashan. | 25.00 |
| | | | 77/3 | Mangal Bhangia. | 500.00 |
| | | | 77/4 | Nomla Ramla. | 550.00 |
| | | | 78/1 | Mani Dahya. | 375.00 |
| | | | 79/2 | Bai Kashi widow of Somla Fakir. | 150.00 |
| | | | 79/3 | Bhagu Naran. | 375.00 |
| | | | 79/4 | Mani Dahya. | 300.00 |
| | | | 79/5 | Lala Hari. | 50.00 |
| | | | 80/1 | Bhagu Naran. | 175.00 |
| | | | 80/2 | Jivan Bhikhaji and Ramu Bhikhaji. | 625.00 |
| | | | 80/6 | Chhibu Hari. | 250.00 |
| | | | 187/1 | Govan Chhibad. | 100.00 |
| | | | 187/2 | Dahya Kesav. | 650.00 |
| | | | 188/2 | Dahya Kesav. | 100.00 |
| | | | 188/3 | Chhibka Dheda. | 525.00 |
| | | | 189/1 | Chhibad Bhana. | 400.00 |
| | | | 189/2 | Nanubhai Jaganbhai. | 500.00 |
| | | | 189/3 | Lakshamanbhai Dhedabhai. | 475.00 |
| | | | 190 | Kubharabhai Akkhubhai. | 400.00 |
| | | | 196/ | Bhagubhai Naranbhai. | 300.00 |
| | | | 197/2 | Damubhai Bavabhai. | 600.00 |
| | | | 198/2 | Narshibhai Lalubhai. | 225.00 |
| | | | 198/1 | Morarbhai Chhibabhai. | 75.00 |
| Total | | | | | 14900.00 |

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

A. S. Ingle, Under Secretary (Revenue).

Panaji, 8th November, 1983.

Notification

No. RD/TNC/BND/280/67 (Part file)

In pursuance of the proviso to sub-section (3) of Section 26 of the Goa, Daman and Diu Agricultural Tenancy Act, 1964, the Government hereby specify the following bund prescribed in the schedule appended hereto as protective bund for the purpose of the said proviso:—

SCHEDULE

| Sr. No. | Name of the bund | Village | Taluka | Approximate area protected (in Hectares) | Description of the bund |
|---------|------------------|---------|--------|--|--|
| 1 | 2 | 3 | 4 | 5 | 6 |
| 1. | "Gouzo" | Corjuem | Bardez | 50 Ha. | The diversion bund of length about 220 m runs parallel to the old bund opposite Calvi leading point. The diversion bund connects the existing bund of Gouzuo removing a sharp curve of the bund vulnerable to damages due to the movement of barges. The diversion of the bund protects the paddy field Gouzuo getting damaged due to flooding by creek water. |

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

A. S. Ingle, Under Secretary (Revenue).

Panaji, 2nd November, 1983.

AGREEMENT

AN AGREEMENT made this 26th day of October, one thousand nine hundred and eighty three, between the PRESIDENT OF INDIA of the one part AND FOMENTO RESORTS AND HOTELS LIMITED formerly called GOMANTAK LAND DEVELOPMENT LIMITED, a Company registered under the Indian Companies Act, 1956 and having its Registered Office at Villa Flores Da Silva, Erasmo Carvalho Street, Margao, Goa (Hereinafter called "THE COMPANY" which expression shall unless the context so admits include their successors and permitted assignees) of the other part.

WHEREAS the principal objects for which the Company is established are, inter alia, construction of a tourism development project etc., etc.

AND WHEREAS for the purpose of the construction of this tourism development project comprising of a hotel at Curia, Vainguinim, Dona Paula, Goa, the Company has applied to the Government of Goa, Daman and Diu (hereinafter referred to as "THE GOVERNMENT") for acquisition under the provisions of the Land Acquisition Act, 1894 (hereinafter referred to as "THE SAID ACT") of the pieces of land containing 19,114 square metres, situated in the District of Tiswadi and more particularly described in the Schedule appended hereto and delineated in the Plan hereunder annexed (hereinafter called "THE SAID LAND") for the following purpose namely - Tourism Development Project - construction of hotel at Curia, Vainguinim, Taleigao.

AND WHEREAS the Government being satisfied by an enquiry held under Section 40 of the said Act that the proposed acquisition is needed for the aforesaid purpose and the said work is likely to prove useful to the public, has consented to acquire on behalf of the Company the said land, herebefore described.

AND WHEREAS the Government has required the Company under the provision of Section 41 of the said Act to enter into an Agreement with The President of India hereinafter contained.

NOW THESE PRESENTS WITNESSETH AND IT IS HEREBY AGREED that the Government shall put in force the provisions of the said Act in order to acquire the said land for the Company on the following conditions namely:—

1. The Company shall pay to the Government the entire cost as determined by the Government for the acquisition of the said land including all compensation, damages, costs, charges and other expenses whatsoever which have been or may be paid or incurred in respect of or on account of such acquisition or in connection with any litigation arising out of such acquisition either in original or Appellate Courts

and including the costs on account of any establishment and salary of any Officer or Officers of the Government whom the Government may think it necessary to employ or depute on special duty for the purpose of such acquisition and also including the percentage charges on the total amount of compensation awarded in accordance with the instructions issued by the Government from time to time. The monies which shall be payable by the Company under this Clause, shall be paid by it by an initial deposit with the Government free from interest, of a sum of Rupees one thousand only within fifteen days after the execution of this Agreement and thereafter by payment to the Government, after demand by the Government, in writing, such further amount or amounts as the Government shall from time to time estimate to be required for the purpose of paying or disbursing compensation, damages, costs, charges or expenses hereinbefore referred to. If the Company fails to pay to the Government the entire cost of acquisition, as referred to above, the Government shall be entitled to recover the same from the Company as if it were money due to the Government as arrears of Land Revenue so however nothing contained in this Clause shall affect the other remedies available to the Government for recovery of such sums.

2. On pay of the entire cost of the acquisition of the said land, as hereinbefore referred to, the whole of the said land shall, as soon as it may be convenient, be transferred to the Company at the costs in every respect of the Company so as to vest in it, such to the provisions of the law for the time being in force as to the terms on which the land shall be held by the Company.

3. The said land, when so transferred to and vested in the Company shall be held by the Company as its property to be used only in furtherance of and for the purpose for which it is required subject nevertheless to the payment of the agricultural, non-agricultural or other assessments and cesses, if any, and so far as the said land is or may from time to time be liable to such assessments and cesses under the provisions of the law for the time being in force.

4. (i) The Company shall not use the said land for any purpose other than that for which it is acquired.

(ii) The Company shall undertake the work of creation of sports and other recreational facilities/amenities within one year from the date on which the possession of the said land is handed to the Company and complete the same within three years from the aforesaid date.

(iii) Where the Government is satisfied after such enquiry as it may deem necessary that the Company was prevented by reasons beyond its control from creating the sports and other recreational amenities within the time specified in the Agreement, the Government may extend the time for that purpose by a period not exceeding one year at a time so however that the total period shall not exceed six years.

(iv) The Company shall keep at all times and maintain the said land and the amenities created thereon, in good order and condition to the satisfaction of the Government or any Officer or Officers authorised by the Government.

(v) The Company shall maintain all records of the Company properly and supply to the Government punctually any information as may from time to time be required by the Government.

(vi) The Company shall not use the said land or any amenities created thereon for any purpose which in the opinion of the Government is objectionable.

(vii) The Company shall confirm to all the laws and the rules and guidelines made by the Government from time to time regarding preservation of ecology and environment.

(viii) The Company shall never construct any buildings or structures in the acquired land. Prior approval of Eco-Development Council of the Government of Goa, Daman and Diu will be obtained before undertaking activities for its development, besides other statutory requirements under the existing laws.

(ix) The public access/road to the beach shall not be affected or obstructed in any manner.

5. The Company shall from time to time, and at all times permit the Government or any Officer or Officers authorised by the Government in that behalf, to inspect the said land and any works of the Company upon the said land whether in the course of construction or otherwise and shall furnish to the Government from time to time on demand, correct statements of the monies expended by the Company in the construction of the said works of the Company upon the said land.

6. In case the said land is not used for the purposes for which it is acquired as hereinafter recited or is used for any other purpose or in case the Company commits breach of any of the conditions hereof, the said land together with the improvements, if any, effected thereon, shall be liable to resumption by the Government subject however, to the condition that the amount spent by the Company

for the acquisition of the said land or its value as undeveloped land at the time of resumption, whichever is less, but excluding the cost or value of any improvements made by the Company to the said land or any structure standing on the said land, shall be paid as compensation to the Company.

Provided that the said land and the amenities, if any, created thereon shall not be so resumed unless due notice of the breach complained of has been given to the Company and the Company has failed to make good the breach or to comply with any directions issued by the Government in this behalf, within the time specified in the said notice for compliance therewith.

7. If at any time or times the whole or any part of the said land is required by the Government for the purpose of making any new public road or for any purpose connected with public health, safety, utility or necessity (as to which matter the Company shall accept as final the decision of the Government), the Company on being hereunto required by the Government in writing shall transfer the said land to the Government and in consideration of such transfer, the Government shall pay to the Company a sum equal to the amount of compensation awarded under the said Act and paid by the Company in respect of the land so transferred including the percentage awarded under Section 23 (2) of the said Act, together with such amount as shall be estimated by the Executive Engineer having jurisdiction, whose decision in the matter shall be final, as to the costs of the development of the land so transferred which shall include the value at the date of transfer for any structure standing thereon and when part of a building is on the land so transferred and part is on adjoining land, reasonable compensation for the injurious affection of the part of the building on the adjoining land.

8. The Company shall not in any way alienate the said land or any portion thereof, except with the previous permission in writing of the Government.

9. All the costs and expenses of and incidental to the preparation and execution of these presents shall be borne by the Company.

SCHEDULE

(Description of the said land)

| Sr. No. | Taluka | Village/Ward | Plot No. | Survey No. | Name of the person believed to be interested | Approximate area in sq. mts. |
|-------------|---------|--------------|----------|------------|---|------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 1 | Tiswadi | Taleigao | 1 | 246/2 | Shri Gustavo Renato da Cruz Pinto. North: Nala. South: River Zuari. East: Nala. West: Survey No. 246/1. | 16505.00 |
| 2 | Tiswadi | Taleigao | 2 | 245/2 | Shri Gustavo Renato da Cruz Pinto. North: Survey No. 245/1. South: River Zuari. East: Survey No. 245/1. West: Nala & River Zuari. | 2609.00 |
| Total | | | | | | 19114.00 |

In witness whereof the parties hereto have hereunto set their hands the day and year first above written.

Witnesses:

1. Sd/-

2. Sd/-

Witnesses:

1. Sd/-

2. Sd/-

Sd/-

Signed, sealed and delivered by Shri V. V. Bhatt
Secretary to the Government of Goa, Daman and Diu.

Revenue Department for and on behalf of the President
of India.

Sd/-

Signed, sealed and delivered by Shri Auduth Timblo, Managing
Director for and on behalf of the Company FOMENTO
RESORTS AND HOTELS LIMITED (formerly called
GOMANTAK LAND DEVELOPMENT LIMITED).

AGREEMENT

THIS AGREEMENT is made on this twenty fifth day of October, in the year one thousand nine hundred and eighty three BETWEEN the President of India (hereinafter called "the Government") of the one part AND the Goa, Daman and Diu Industrial Development Corporation, a statutory corporation established under the Goa, Daman and Diu Industrial Development Corporation Act, 1965 and having its registered office at Panaji (hereinafter called "The Company" which expression shall, unless the context does not so admit, include its successors and assigns) of the other part.

WHEREAS the principal objects for which the company is established are for the purposes, of securing and assisting in the rapid and orderly establishment and organisation of industries in the industrial areas and industrial estates in Goa, Daman and Diu.

AND WHEREAS the company has applied to the Government that the land specified in the Schedule appended hereto (hereinafter called "the said land") may be acquired under the provisions of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter called "the said Act") for the purpose of setting up an Industrial Estate at Canacona.

AND WHEREAS the Government after having caused an inquiry to be made in conformity with the provisions of the said Act and on being satisfied as a result of such inquiry that the acquisition of the said land is needed for the purpose of setting up of Industrial Estate for the company, have consented to acquire the said land under the provisions of the said Act, and to enter into an agreement hereinafter contained with the company.

NOW these presents witness and it is hereby agreed that the Government shall put in force the provisions of the said Act in order to acquire the said land for the Company on the following terms and conditions namely:—

(1) The company shall pay to the Government the entire cost, as determined by the Government for the purpose of the acquisition of the said land, including all compensations, damages, costs, charges and other expenses, whatsoever, which have been or may be paid or incurred in respect of or on account of such acquisition or in connection with any litigation arising out of such acquisition either in the original or Appellate courts and including the costs on account of any establishment and salary of any officer or officers of the Government whom the Government may deem it necessary to employ or depute on special duty for the purpose of such acquisition (and also including the percentage charges on the total amount of compensation awarded) in accordance with the instructions issued by the Government from time to time. The money which shall be payable by the Company under this clause shall be paid by it by depositing with the Collector of Goa free of interest the sum of Rupees One Thousand only within fifteen days from the execution of this agreement and thereafter by payment to the said Collector within fifteen days from the date of demand by the Collector in writing for such further amount as may be required for the purpose of paying or disbursing compensation, damages, costs, charges or expenses hereinbefore referred to. In case of urgency, where possession of any land is proposed to be taken under Section 17 of the said Act before an award has been made under Section 11 thereof (of the Act) the company shall deposit with the Collector, free of interest, such amount being not more than two thirds of the approximate amount of compensation payable in respect of the said land as determined under clause (ii) of sub-rule (2) of rule 4 of the Land Acquisition (Company) Rules, 1963 and within such time as the Collector may specify in this behalf.

If the company fails to pay to the Government the entire cost of acquisition, as referred to above, within the aforesaid period, the Government shall be entitled to recover the same from the company as if it were money due to the Government under the Law for the time being in force.

(2) On payment of the entire cost of the acquisition of the said land, as hereinbefore referred to, the whole of the said land shall, as soon as it may be convenient, be transferred to the Company at the cost (in every respect) of the company so as to vest in it, subject to the provisions of the Law for the time being in force as to the terms on which the land shall be held by the company.

(3) The said land, when so transferred to and vested in the company shall be held by the company as its property to be used only in furtherance of and for the purpose for which it is acquired, subject nevertheless to the payment

of the assessments and cesses if any, so far as the said land is or may from time to time be liable to such assessments and cesses under the provisions of the Law for the time being in force.

(4) i) The company shall not, except with the previous sanction of the Government, use the said land for any purpose other than that for which it is acquired.

ii) The time within which the construction of the Industrial Estate shall not exceed three years from the date of transfer of the said land to the Company.

iii) If the Government is satisfied after such enquiry as it may deem necessary that the company was prevented by reasons beyond its control from construction of the building or works for the company which is engaged or is taking steps for engaging itself in an industry within the time specified in the agreement, the Government may extend the time for that purpose by a period not exceeding one year at a time so however that the total period of extension shall not exceed three years.

iv) The company shall keep and maintain at all times the said land and the building or buildings erected thereon in good order and condition to the satisfaction of the Collector.

v) The company shall maintain all records thereof properly and supply to the Government punctually such returns of educational, statistical and other information as may from time to time be required by the Government.

vi) The company shall not use the said land or any building that may be erected upon it for any purpose which in the opinion of the Government is objectionable.

(5) The company shall from time to time and at all times permit the Government or any officer or officers authorised by the Government in that behalf, to inspect the said land and any works of the company upon the said land whether in the course of construction or otherwise and shall furnish to the Government from time to time on demand correct statements of the moneys expended by the company in the construction of the said works of the company upon the said land.

(6) The company shall not in any way alienate the said land or any portion thereof except with the previous permission in writing of the Government. The Company shall however be entitled to mortgage the said land to any cooperative or other registered or statutory Financing Agencies for the bonafide purpose of securing loan for undertaking and/or completing the construction of the work for which the lands are acquired on its behalf. This shall however be subject to the conditions that:—

i) In the event of sale, for realisation of its dues to the mortgagees of in respect of the said land.

a) The said Land including its structures half of the unearned income (i.e. half the difference between the sale price of the land and the cost of its acquisition) incurred by the company shall be credited to the Government, and

b) The Collector's decision regarding the amount of unearned income shall be final.

The mortgagee shall be entitled to utilise in accordance with the terms of mortgage deed the balance of the sale proceeds left, after satisfying the Government claims as per clause (a) above, for realisation of their dues;

ii) The right of the mortgages to sell the mortgaged land to realise the undischarged debt shall be absolute, subject to clauses (a) and (b) of the condition (1) above and

iii) Conditions prohibiting transfer by sale, etc. imposed upon the Company shall not apply to the transferees who purchased the lands in the event of their sale by the mortgagees for realisation of their dues.

(7) If the company commits a breach of any of the conditions provided for in this agreement, the Government may make an order declaring the transfer of the land to the Company as null and void whereupon the land shall revert back to the Government and the Government may direct that an amount not exceeding one fourth of the amount paid by the company to the Government as the cost of acquisition under clause (1) of Section 41 of the said Act shall be forfeited to the Government

as damages and the balance shall be refunded to the company and the order, so made shall be final and binding.

If the company utilises only a portion of the land for the purpose for which it was acquired and the Government is satisfied that the company can continue to utilise the portion of the land used by it even if the unutilised part thereof is resumed, the Government may make an order declaring the transfer of the land with respect to the unutilised portion thereof as null and void, whereupon such unutilised portion shall revert back to the Government and the Government may direct that an amount not exceeding one fourth of such portion of the amount paid by the company as cost of the acquisition under clause (i) of Section 41 of the said Act, as is relatable to the unutilised portion shall be forfeited to the Government as damages and that balance of that portion shall be refunded to the company and the order so made shall, subject to the following provisions, be final and binding.

Where there is any dispute with regards to the amount relatable to the unutilised portion of the land, such dispute shall be referred to the Court, within whose jurisdiction the land or any part thereof is situated and the decision of that court thereon shall be final.

PROVIDED that the Government shall not make an order as aforesaid, unless the company has been given an opportunity of being heard after a due notice of the breach, complained of, has been given to the company and the company has failed to make good the breach or to comply

with any directions issued by the Government in this behalf, within the time specified in the said notice for compliance therewith.

(3) If at any time or times, any part of the said land is required by Government for the purpose of making any new public road or for any purpose connected with public health, safety, utility or necessity then the company on being required by the Government in writing, shall transfer to the Government such part of the said land as the Government shall specify to be necessary for any of the aforesaid purpose, and in consideration of such transfer the Government shall pay to the company a sum equal to the amount of the compensation awarded under the said Act, and paid by the company in respect of the land so transferred including the percentage awarded under Section 23(2) of the said Act, together with such amount as shall be estimated by the Executive Engineer P.W.D. having jurisdiction whose decision in the matter shall be final as to the cost of the development of the land so transferred which shall include the value at the date of transfer of any structure standing thereon and when part of a building is on the land so transferred and part is on the adjoining land, reasonable compensation for the injuries affected to the part of the building on the adjoining land.

(9) All the cost and expenses of and incidental to the preparation and execution of these presents shall be borne by the company.

SCHEDULE

(Description of the land)

| Sr. No. | Taluka | Village | Survey/ P. T. S. No. | Sub-Div. Chalta No. | Names of the persons believed to be interested | Area in sq. mts. |
|---------|----------|----------|----------------------------|---------------------------|---|------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | Canacona | Canacona | 12 | 2(Part) | Sadanand Rama Naik Gaonkar. Ganba Sadashiv Naik Gaonkar. Krishna Saba Naik Gaonkar. Bhuto Ganesh Shet Dessai. Jiva Bhikushet Desai. Vithal Bhikushet Desai. Raghunath Chowshelushet Desai. Babu Shivram Naik Gaonkar. Vassudev Fati Naik Deshmukh. Smt. Salubai B. Naik Gaonkar. Shri Narba B. Naik Gaonkar. Smt. Gopika Damodar Gaonkar. Shri Mukund B. Naik Gaonkar. Shri Mohon B. Naik Gaonkar. Shri Yeshwant B. Naik Gaonkar. Shri Krishna B. Naik Gaonkar. Smt. Urmila S. Gaunso Desai. Smt. Shanti Shantaram Shet. Smt. Kamal Jagi Gaonkar. Shri Govind Babal Naik Gaonkar. Shri Shivram F. N. Desai. Shri Zorgo L. N. Gaonkar. Shri Gurudas L. N. Gaonkar. Shri Gopal L. N. Gaonkar. Shri Babaji G. Gaonkar. Shri Sandeep D. Gaonkar. Shri Narayan P. Gaonkar. | 143310.00 |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
|---|----------|----|---------|---|---|-----------|
| Canacona | Canacona | 12 | 2(Part) | Shri Gangadhar Morto Naik Gaonkar, Shri Shantaram Morto Naik Gaonkar, Dr. Giblo Morto Naik Gaonkar, Shri Gopinath Nilkant Naik Gaonkar, Comunidade of Canacona. | | |
| <p><i>Boundaries:</i> North: S. No. 13/4, S. No. 12/1 and S. No. 11/6. South: Road & S. No. 12/2. East: Road and S. No. 11/6. West: S. No. 12/9 and road.</p> | | | | | | |
| Total | | | | | | 143310.00 |

In witness whereof the parties hereto have hereunto set their hand the day and year first above written.

Witnesses: —

1. Sd/-.

Sd/-.

2. Sd/-.

Signed, sealed and delivered by
Shri V. V. Bhat, Secretary to
the Government of Goa,
Daman and Diu.

Revenue Department for and
on behalf of the President
of India.

Witnesses: —

1. Sd/-.

Sd/-.

2. Sd/-.

Signed, sealed and delivered
by Smt. Gita Sagar, for and
on behalf of the Industrial
Development Corporation.

Chief Executive Officer Goa,
Daman and Diu Industrial
Development Corporation,
Panaji.

Public Health Department

Notification

No. 71/99/83-PHD

In exercise of the powers conferred by sub-section (1) of section 8 of the Drugs and Magic Remedies (Objectionable Advertisement) Act, 1954 (Central Act 21 of 1954), the Lieutenant Governor of Goa, Daman and Diu hereby authorises the Gazetted Officers specified in column 2 of the Schedule appended to this Notification, to exercise the powers under the said section within the local limit specified in the corresponding entry in column 3 of the said Schedule.

SCHEDULE

| Sr. No. | Gazetted Officers authorised | Local Limit |
|---------|---|---|
| 1 | 2 | 3 |
| 1. | Shri Sharadchandra S. Sardessai, Drugs Inspector. | Entire area of Union territory of Goa, Daman and Diu. |
| 2. | Shri Salim Akbaralli Veljee, Drugs Inspector. | — do — |
| 3. | Shri Raghuvir D. Bhise, Drugs Inspector. | — do — |

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

S. V. Bhadri, Under Secretary (Health).

Panaji, 8th November, 1983.

Notification

No. 71/99/83-PHD

In exercise of the powers conferred by sub-clause (1) of clause 26 of the Drugs (Price Control) Order, 1979, the Lieutenant Governor of Goa, Daman and Diu, hereby authorises the following Gazetted Officers to exercise the powers under the said clause for whole of the Union territory of Goa, Daman and Diu.

1. Shri Sharadchandra S. Sardessai — Drug Inspector
2. Shri Salim Akbaralli Veljee — Drug Inspector
3. Shri Raghuvir D. Bhise — Drug Inspector.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

S. V. Bhadri, Under Secretary (Health).

Panaji, 8th November, 1983.

Notification

No. 71/99/83-PHD

In exercise of the powers conferred by Section 21 of the Drugs and Cosmetics Act, 1940 (Central Act 23 of 1940), the Lieutenant Governor of Goa, Daman and Diu hereby appoints the following persons as Inspectors subordinate to the Drugs Controller of Union Territory of Goa, Daman and

Diu for the entire area of Union Territory of Goa, Daman and Diu.

1. Shri Sharadchandra S. Sardessai
2. Shri Salim Akbaralli Veljee
3. Shri Raghuvir D. Bhise.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

S. V. Bhadri, Under Secretary (Health).

Panaji, 8th November, 1983.

Industries and Labour Department

Order

No. 28/29/83-ILD

Whereas the management of M/s. New Era Handling Agency, Sancoale, Vasco-da-Gama, Goa and their workmen, represented by the National Commercial and General Employees Sangh and the Goa Trade and Commercial Workers Union, have jointly applied to the Government of Goa, Daman and Diu for reference of the industrial dispute in respect of the matters set forth in the Schedule annexed hereto (hereinafter referred to as the 'said dispute') to the Industrial Tribunal, Panaji-Goa.

And Whereas the Lieutenant Governor of Goa, Daman and Diu is satisfied that the National Commercial and General Employees Sangh and the Goa Trade and Commercial Workers Union, both Unions jointly represents the majority of the workmen employed in M/s. New Era Handling Agency, Sancoale, Vasco-da-Gama, Goa.

Now, Therefore, in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Lieutenant Governor of Goa, Daman and Diu hereby refers the said dispute for adjudication to the Industrial Tribunal, Goa, Daman and Diu at Panaji-Goa, constituted under section 7A of the said Act.

SCHEDULE

"Whether the following demands of the workmen are legal and justified?"

- (1) Demand for payment of House Rent Allowance during the period when the workmen are on sickness benefits under the Employees' State Insurance Act, Scheme and Rules.
- (2) Demand for payment of House Rent Allowance on compensatory off days.
- (3) What should be the scale of pay for a dehumidifier Operator working with the management of M/s. New Era Handling Agency, and
- (4) Whether the workmen are entitled to claim free milk and dust allowance.

If the answers to (1) to (4) above are in the affirmative then to what reliefs the workmen shall be entitled to?"

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

S. D. Sadhale, Under Secretary (Industries and Labour).

Panaji, 8th November, 1983.

Order

No. 21/6/80-ILD Part

In exercise of the powers conferred by section 3 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (Central Act 30 of 1979),

read with the Government of India, Ministry of Labour Notification No. S-45024/3/90-LW dated the 14th July, 1981, the Administrator of Goa, Daman and Diu hereby appoints the officers specified in column 2 of the Schedule appended hereto to be the registering officers for the purposes of Chapter II of the said Act and defines the limits in column 3 of the said Schedule within which they shall exercise the powers conferred on them by or under the said Act.

SCHEDULE

| Sr. No. | Designation of officers | Limits |
|---------|--|--|
| 1. | Shri R. S. Mardolkar, Assistant Labour Commissioner, Panaji. | Talukas of Mormugao, Bardez and Pernem. |
| 2. | Shri B. B. Naik, Assistant Labour Commissioner, Panaji. | Talukas of Salcete, Canacona, Quepem, Sanguem and Ponda. |
| 3. | Shri S. A. Deshpabhu, Assistant Labour Commissioner, Panaji. | Talukas of Ilhas, Bicholim, Satari, Daman and Diu. |

By order and in the name of the Administrator of Goa, Daman and Diu.

S. D. Sadhale, Under Secretary (Industries and Labour).

Panaji, 14th November, 1983.

Notification

No. 21/6/80-ILD Part

In exercise of the powers conferred by sub-section (1) of section 20 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (Central Act 30 of 1979), read with the Government of India, Ministry of Labour Notification No. S-45025/3/90-LW dated the 14th July, 1981, the Administrator of Goa, Daman and Diu hereby appoints the persons specified in column 2 of the Schedule appended hereto to be the Inspectors for the purposes of the said Act and defines the local limits in column 3 of the said Schedule within which they shall exercise their powers under the said Act.

SCHEDULE

| Sr. No. | Designation of officers | Local limits |
|---------|--|--|
| 1. | 2. | 3. |
| 1. | Shri R. S. Mardolkar, Assistant Labour Commissioner, Panaji. | Talukas of Mormugao, Bardez and Pernem. |
| 2. | Shri B. B. Naik, Assistant Labour Commissioner, Panaji. | Talukas of Salcete, Canacona, Quepem, Sanguem and Ponda. |
| 3. | Shri S. A. Deshpabhu, Assistant Labour Commissioner, Panaji. | Talukas of Ilhas, Bicholim, Satari, Daman and Diu. |

By order and in the name of the Administrator of Goa, Daman and Diu.

S. D. Sadhale, Under Secretary (Industries and Labour).

Panaji, 14th November, 1983.

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